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REMISSION OF ASSESSMENT IN AREAS AFFECTED BY FLOODS

Mr. B. MAHABALA HEGDE :—" Mr. President, I move the following Resolution which stands in my name :—

That this Council recommends to the Government that in view of the destruction of the first crop by the recent floods and of the scarcity of water for the existing second crop, remission of assessment to the extent of two-thirds may be ordered on all wet lands yielding second crop whereon the first crop was destroyed by the floods.

Before going to the facts of this case, I beg to offer a few remarks. Of course, when I sent in this Resolution, I had sent certain other Resolutions also along with this wherein I had specifically stated that they referred to South Kanara, but in this particular Resolution, by an oversight, the words 'South Kanara' were omitted. However, my intention was to make it applicable only to South Kanara'."

The hon. the PRESIDENT :—" I am sure the House will not object to the hon. Member adding words 'restricting the motion to South Kanara.

Mr. K. PRABHAKARAN TAMPAN :—" I should like to propose that 'Malabar' also should be added, Sir."

The hon. the PRESIDENT :—" The hon. Member can speak later on."

Mr. B. MAHABALA HEGDE :—" Since this is the only Resolution which has been balloted for to-day, the fact that the words 'South Kanara' were omitted by a slip of the pen is apparent. Personally, I have not the slightest objection to apply this Resolution to Malabar, etc., but I am not in a position to submit facts and figures with regard to other districts. So, Sir, my remarks will apply only to South Kanara district.

" Now, I have to make one observation with reference to the Resolution.

4-45 p.m. The hon. Mr. Graham visited some areas affected by the floods, and I had the honour of going with him. As a result of that visit Government Order, i.e., G.O. Mis. No. 1577, Revenue, dated 22nd October 1923, was passed. The Order is this :

'In view of the unprecedented nature of the calamity, the Government are pleased to allow remission of assessment in the South Kanara district under paragraph 4 of S.O. 14 during the current fasli as a special case.

'2. The following proposals of the Collector are approved :—(i) to allow no remission in the case of "Patla" and first-class wet lands unless they come under the terms of clause (iii) of this paragraph; (ii) to allow remission in respect of "Mogaru" lands which have lost their only crop owing to floods'

and so on. In this connexion, I have to make an explanation. 'Mogaru' lands are lands which yield only one crop These lands lie between the rivers and the first-class fields lying towards the landside. Such lands, in the Mangalore taluk only, are specifically called 'Mogaru' lands. But there are similar lands in other taluks with only one crop, but they are known by different names in different taluks, as 'Patla' and such other names. This Government Order grants remission only to 'Mogaru' lands. But the Collector's office understood that other lands yielding only one crop in the other taluks were excluded by the addition of the word 'Mogaru' in the

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Government Order. This is evident from the circular issued by the Collector under instructions from the Board of Revenue. The Circular runs as follows:

'Under G.O. Mis. No. 1577, Revenue, dated 22nd October 1923, remissions are admissible only in the following two cases:—

'(a) "Patla" and first-class wet lands are entitled to remission only if the area affected by the floods has been rendered unfit for any kind of cultivation during the fasli owing to the deposit of sand or silt, provided that the area affected is not less than one acre in each survey field or recognized subdivision. Where however a recognized subdivision measures less than one acre, remission may be granted on the entire subdivision if wholly affected.'

"Then the second clause, which is most important, runs thus:

'(b) "Mogaru" lands which have lost their only crop owing to floods are entitled to remission subject to the proviso as to area mentioned in clause (a) above. The expression "any kind of cultivation" includes not only paddy cultivation but also cultivation of dry crop. "Mogaru" lands under clause (b) above do not include II class wet lands registered as single crop lands and III class wet lands.'

"So it is very significant that II class wet lands registered as single crop and III class wet lands, are specifically excluded in the above Collector's circular subsequent to the Government Order. Therefore, I submit that it is a grievance and that when 'Mogaru' lands are given the benefit of remission, it is ununderstandable why III class wet lands which yield only one crop should have been excluded.

"With these preliminary remarks, I wish to bring certain facts and figures to the notice of this House. The lie of South Kanara, as some hon. Members may be aware, is unlike other districts in the Presidency. It is a narrow strip of land lying between the Western Ghauts and the Arabian Sea, about 150 miles long. All along it is intercepted by many rivers which you find flowing for not over 50 or 60 miles. The rivers take their source from the Western Ghauts. These rivers were greatly flooded, and most of the fields affected by the floods are fields lying alongside the banks of these rivers. In South Kanara most of the valuable lands are lying close to those rivers. As to the nature of the flood itself, I need not dilate very much as it is universally known that it is one of the biggest floods that South Kanara ever experienced. In some places, the flood rose to a very great height, over 25 or 30 feet above the ordinary flood level with the result that in Mangalore, Bantwal and Uppinangadi taluks the floods did great havoc. In the four other taluks the floods lasted one or two days, and the destruction was mostly with regard to houses. But the greatest havoc was done in the three taluks through which the Netravathi river flowed, namely, Mangalore, Uppinangadi and Bantwal referred to above.

"As for the extent of the damage done I beg to bring to the notice of the House and also to the notice of the Government certain facts and figures, and I would request the Government to note that the remission we ask for is only a very small proportion as compared to the total revenue of the district. The total extent of I class land, yielding a second crop, and whereon first crop was destroyed is 2,134 acres in the whole district; II class lands 1,890 acres; III class lands 380 acres; garden lands 10·67 acres. Here, I may say that I got these figures from the Collector's office, and perhaps the Government may not have these details at present. I applied to the Collector for them, and the local revenue authorities took great trouble to get ready

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these figures for me. The extent of lands rendered unfit on account of silting is as follows :—

		ACS.
First-class lands	.. ..	352
Second-class "	.. ..	431
Third-class "	.. ..	307
Garden lands ..	.. ..	13
Dry lands ..	.. ..	24
	Total ..	1,129

This Resolution covers only the case of all wet lands yielding second crop, whereon the first crop was destroyed by the floods. As I said already, at the time of tabling this Resolution I did not know that the third-class wet lands and the second-class wet lands other than the 'Mogaru' lands have been excluded by the Collector's circular. Therefore it is that I did not include those lands in my Resolution. But there is a Resolution tabled by my hon. Friend Mr. Rama Rao which covers these cases, viz., Resolution No. 31.

"Calculating at Rs. 6 per acre, the remission that I ask for will come to about Rs. 19,000, in the whole district for the first and second class two-crop lands besides the remission under the Government Order already quoted by me.

"Government may reply that considerable relief has already been granted, viz., bamboos at cost price and loans to the extent of 2 lakhs at 4 per cent interest. The few ryots that went in for loans did so to reconstruct only their fallen houses. I know that bamboos were mostly given for the relief of the abject poor who were not dependent either on the landlord or anybody else. Houses destroyed in the district number 12,360 ; valued at Rs. 8,55,000 and movable property worth Rs. 7 lakhs and odd. So I request that Government will be pleased to allow remission of assessment to the extent that I claim."

Rao Sahib U. Rama Rao :—"Mr. President, Sir, I beg to second this Resolution moved by my hon. Friend Mr. Hegde. In doing so, I do not want to take up the time of this House at this late hour, but I may be permitted to move my amendment to this Resolution which is on the paper so as to specifically restrict it to the South Kanara district."

The hon. the President :—"I think the hon. Member in seconding a motion cannot move an amendment. The order of business requires that the motion should first be moved and seconded, and then any amendment may be moved."

Mr. J. A. Saldanha :—"In that case, I will second the Resolution."

The hon. the President :—"The Resolution has been moved and seconded. The hon. Member Mr. Rama Rao may now move his amendment if he likes."

Rao Sahib U. Rama Rao :—"I beg to move my amendment, which is, *after* the word 'floods' in line 2, *insert* the words 'in the South Kanara district.'"

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Mr. K. PRABHAKARAN TAMPAN :—" I second it."

The hon. the PRESIDENT :—" Does the hon. the Mover of the Resolution accept the amendment ? "

Mr. B. MAHABALA HEGDE :—" Yes, Sir."

The hon. the PRESIDENT :—" The amendment is accepted by the Mover and the Resolution as amended is now before the House."

Mr. K. PRABHAKARAN TAMPAN :—" May I make a further amendment to this Resolution, Sir, to include Malabar also ? "

The hon. the PRESIDENT :—" I understand the hon. Member proposes that the words ' and Malabar ' also be added after the words ' South Kanara '. In that case, I would first of all wish to know whether the House gives leave to the hon. Member to move such an amendment without notice."

(A voice :—' No '.)

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I desire, Sir, to raise a point of order, because this is of some importance. My point of order is shortly this : I may at once say that I am not unalive to the conditions in Malabar. This is a motion, I take it, relating to the conditions of South Kanara. It is intended so to be. But unfortunately it is not so worded. If the intention is to apply it only to the conditions of the South Kanara district, we cannot have Malabar also added on by another amendment. Otherwise, Bellary, Cuddapah or Anantapur might follow next."

Mr. M. RATNASWAMI :—" Bellary is not affected by floods."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Tinnevelly, for instance."

The hon. Rao Bahadur Sir A. P. PATRO :—" Also Ganjām."

Mr. K. PRABHAKARAN TAMPAN :—" Sir, notice of Resolutions for the remission of assessment on lands destroyed by floods has already been given. My request is that as this Resolution has come up now, and as there is no chance for the other Resolutions to be taken up for consideration here, this opportunity might be availed of to include Malabar also which has been affected by floods."

The hon. the PRESIDENT :—" I should like first to dispose of the point of order before the hon. Member is allowed to proceed."

Mr. E. W. LEGH :—" Sir, since land tenures in South Kanara and Malabar districts are quite different, if the two districts were to go together, it would be quite impossible to give one answer to the Resolution."

The hon. the PRESIDENT :—" I thought that would be the difficulty. Anyhow, apart from the point of order raised by the hon. the Law Member, the House, I think, may very rightly say whether it will allow the introduction of this amendment without notice at this stage. (Voices of ' No. ' and ' Yes '.) I take it some hon. Members are disposed to allow it, while others not. As the Revenue Secretary said, I think it is not possible to deal with this motion adequately by including both South Kanara and Malabar districts. On that ground, I rule out the amendment."

Diwan Bahadur M. KRISHNAN NAYAR :—" I am not rising to say anything on this Resolution, Sir. But I may ask if it is your intention and that of the House to stop the debate at 5."

The hon. the PRESIDENT :—" We should ordinarily stop at 5 p.m."

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Mr. E. W. LEGH :—"Sir, I will not take more than just a couple of minutes to explain the views of the Government in regard to the Resolution moved by my hon. Friend Mr. Hegde. I take it that it is possible that many of the hon. Members of this House would not have personally gone to South Kanara that they may have been in possession of first hand knowledge about the conditions of land tenure there. As a general rule the circumstances are so arranged that under ordinary circumstances there is no remission granted. But the particular circumstances of South Kanara are peculiar and the hon. Member Mr. Graham went down to South Kanara, and Mr. Turing was also there and they have sent up proposals most of which had been accepted by the Government and orders have been passed. But I may also inform the House that since then the Government have written to the Collector for fuller explanation on some points and I dare say that as the hon. the Mover has pointed out it is not quite easy to understand the circumstances without knowing personally about the system existing in South Kanara. It is quite possible that the orders which we issued did not cover all the cases contemplated by this recommendation but I may tell the House that all the recommendations made by the Collector are receiving very careful considerations in the hands of the Government and that they will have full attention bestowed before orders are passed."

5 p.m.

Mr. B. MAHABALA HEGDE :—"The unfortunate district has suffered a great damage ; for, crops on 5,000 and odd acres have been fully lost. The Government Order recognizes 'the unprecedented nature of the calamity'. There was a lot of discussion on account of the Board's Standing Order subsequently issued because under that circular, III class wet lands and the II class wet lands have been excluded by the Collector from the advantage of the remission. These lands have absolutely no sources of water except rain and if the poor people raise a catch crop at all it is by baling water throughout. I submit therefore that it is extremely unjust on the part of the subordinate officers in South Kanara to have taken these catch crops into consideration. *Mogaru* lands called so in Mangalore and which yield only one crop and II and III class wet lands, ought to be given total remission.

"After all the total remission covered by the Resolution would not come to more than Rs. 19,000. The total extent of the wet land in the district is 502,419 acres and it is only about 5,000 and odd acres that have been lost. As a matter of fact the people are very hard pinched on account of scarcity of water and it is likely that the second crop also will be destroyed as the late rains failed. Under these circumstances I submit that the Government will be kind enough to meet us half way and win the affection of the ryots."

The hon. the RAJA OF KOLLENGODE :—"The questions raised by the hon. the Mover of this Resolution are under consideration and are in correspondence with the Collector. The Government fully recognize the uncommon circumstances of the district and they realize that extraordinary measures are necessary and are prepared to do what they can. Any representation coming from the Collector will be considered most sympathetically. I may mention that I am also visiting the district and I propose to see the people and to confer with the Collector ; I may assure you that I shall

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be able to come to some satisfactory conclusion. I hope that with this assurance the hon. the Mover will be satisfied and be pleased to withdraw the Resolution."

Mr. B. MAHABALA HEGDE :—" On the assurance given by the hon. the Revenue Member, Sir, I beg leave to withdraw the motion."

The motion was then by leave of the House withdrawn.

The House then adjourned at 5-10 p.m. to meet again at 11 a.m. on Tuesday, the 4th day of March 1924.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.